



State Representative
Jerome DELVIN
8th District

My Report on the 2004 Legislative Session

Spring 2004

Dear friends,

I had hoped the recent legislative session would address issues like education, health care, public safety and our state's primary election system in ways that give our citizens reasons to have confidence in government again. For the most part, my hopes were met. This newsletter describes some of the most important actions lawmakers took during our 60 days in Olympia.

It has been a great privilege to serve as your state representative. I appreciate all your calls and letters and e-mails, and I am especially honored when you leave your homes to visit with me, as so many people did several weeks ago during my town hall meetings in Richland, Kennewick and Prosser.

It's nice to be back home. If you see me around the district, please take a moment to say hello, and share your thoughts with me. Also, you can reach me through my legislative e-mail address, get a message to me via the toll-free legislative hotline, or put a letter in the mail to me. I am honored to serve as your representative and always ready to help!

Sincerely,

Rep. Jerome Delvin

Committees:

- Juvenile Justice & Family Law
Ranking Republican
- Technology, Telecommunications & Energy

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State government on the Internet:

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P.S. — Because this is an election year, state law says I can't send you another newsletter like this until after the November election. However, I am allowed to correspond with you about specific issues, so don't hesitate to get in touch!

A new primary for Washington voters

This session we had to come up with a replacement for the popular “blanket” primary our state had used since 1936 to select candidates for the November general election. That’s because the state’s major political parties successfully sued to get rid of the blanket primary, claiming it violated their constitutional right of association.

I and a majority of legislators voted for a “Top 2” system which is very similar to the blanket primary. The governor, who didn’t like the Top 2 system, vetoed that part of the bill. His veto left only the backup plan we had put into the legislation just in case the judge handling the political parties’ lawsuit ruled that the Top 2 also is unconstitutional.

That backup plan — which becomes the main plan, at least for now — is the style of primary used in Montana. It requires participating voters to affiliate with a party just for that day, and choose only from that party’s candidates. That means no more opportunity for “crossover” voting like we’ve had all these years.

The Montana primary continues the tradition of giving all major parties a place on the November ballot, but more importantly, your voting decisions are still kept private, and you won’t have to formally register as a member of a political party. Your privacy and independence were my top priorities.

Help for the beef industry

The reaction to the case of bovine spongiform encephalopathy (BSE) found in Yakima County has threatened potentially thousands of jobs in Central and Eastern Washington. Because preserving the jobs we have is a priority for me, I helped create a new law giving temporary tax relief to Washington beef producers until Mexico, Japan and South Korea lift their export restrictions and begin buying American beef again.

I also supported new laws aimed at preventing more problems for the beef industry. One bans the sale and transport of so-called “downer” cattle, and another will prepare Washington to join a federal program that will use computer-chip implants to track livestock across state and county lines.



No solution to state’s liability insurance crisis

I had hoped the 2004 session would bring reforms to the system for dealing with claims for damages (known as “torts”) the same way last session brought groundbreaking reforms of the state’s industrial and unemployment insurance systems.

I have no intention of limiting the ability of people to be compensated in court for medical expenses, lost wages, custodian or in-home care, or other measurable damages. I just wanted to do something about the rising liability costs that are forcing doctors out of practice, strangling employers and hurting local governments (in 2001, liability costs accounted for 16 percent of cities’ budgets!). The situation has reached a crisis.

Unfortunately, the House would only pass a lightweight package of Democrat bills that fell so far short of real reform that the Senate wouldn’t consider them. At the same time, a worthwhile and comprehensive tort reform bill passed by the Senate went nowhere in the House. We need real progress on this issue in 2005.

FFTF wins House support

The House overwhelmingly passed a measure I introduced to encourage the privatization of Hanford’s Fast Flux Test Facility, which the federal government plans

to dismantle. The research reactor could be used to make important medical isotopes and serve as a cornerstone of the biotechnology industry we’re working to nurture in Washington. However, the Senate did not take action.

Clamping down on those who hurt children

Tougher penalties for sex offenders was on my list for the 2004 session, and the Legislature came through by passing House Bill 2400, the Child Protection Act of 2004. The measure was sidelined by House Democrats but revived because of strong public outcry, in one of the best surprises of the session.

It toughens the law against child molesters and provides major revisions to the state’s Special Sex Offender Sentencing Alternative law (SSOSA), which in the past has allowed offenders to serve only up to six months in jail and then enter state-supervised treatment in the community, often to the horror of child victims and their families.

Now it will be more difficult for sex offenders to qualify for the SSOSA program, and those who do will be on a shorter leash when they are in our communities.



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Good news for high-tech and small employers

I'd like to see more high-tech companies in Benton County, which is why I was glad to renew a set of tax credits associated with research and development or pilot-scale manufacturing in high-technology industries.

Hundreds of small high-tech firms across Washington have benefited from the tax credits and exemptions, which also are vital for supporting industries designated as "targets" like advanced computing, semiconductors and biotechnology. The incentives, created in 1994, would have expired this year without legislative action.

I also wanted to give small employers (those with 50 or fewer employees — the backbone of our economy) better access to health care coverage, and House Bill 2460 will help.

The state has made it so insurance carriers can only offer health care plans with "the works." That means employers who can no longer afford a gold-plated plan must either drop health coverage for employees or ask those employees to pay higher premiums. It also keeps employers who would like to offer health coverage from doing so.

What we need is to let carriers offer a more affordable basic plan in addition to "the works," to help employers find something in their price range. Last-minute changes to HB 2460 keep it from going as far as I'd like, but it's still a step in the right direction.

No new taxes — again

The Legislature made adjustments to the state's two-year operating budget by passing what we call a "supplemental" budget. This year we added \$145 million to care for our state's most vulnerable citizens in nursing homes, on children's Medicaid, and with developmental disabilities. The extra funding also will pay for roughly 3,000 new enrollments in higher education (good news for WSU Tri-Cities and Columbia Basin College) to help students compete in the new economy.

The revised budget doesn't require a tax increase, but it also doesn't leave much in reserve: only \$305 million, which is a bare minimum for dealing with emergencies, emerging needs and revenue changes between now and July 2005.

Progress on education — government's top responsibility

We can do nothing more as a state government to help both our economy and our families than provide for a world-class primary and secondary education. The 2004 Legislature didn't agree on a way to prevent teacher strikes, but we did



I was happy to sponsor Justin Foeppel, a Southridge High freshman, as a legislative page during the 2004 session. He was one of several 8th District students who gave up a week of school to carry on a tradition that dates to 1891. Students 14-16 years old with at least a C+ average may apply to be pages next year; please phone my office (360-786-7986) for more information.

end the session with two wins that represent the most important changes in education since I became a legislator.

One new law authorizes 45 charter schools to be created statewide, either through the creation of new schools or the conversion of existing public schools. Charter schools are independent public schools, and exempt from many rules and regulations that govern traditional schools. However, they are held to the same standards of achievement and accountability.

I'm glad to report this new law is strong on accountability and local control. Authority and oversight will remain with the locally elected school board, and the decision to enroll a student in a charter school belongs to the parent or guardian.

The second new law significantly improves the Washington Assessment of Student Learning. It's now clear to students, parents and teachers what students are expected to know to meet state academic standards for graduation. Starting with the class of 2008, for instance, students will have to pass the WASL in reading, writing and mathematics in order to graduate.

Students may now take the WASL up to four times and can utilize alternative means in taking it. And if a student isn't meeting requirements early on, parents and teachers will work together to develop a graduation plan.



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A few bright spots...

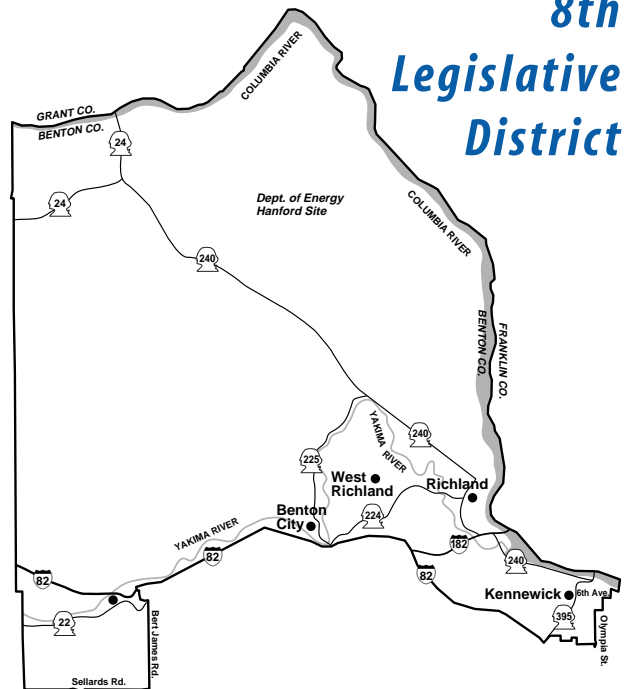
- House Bill **2354** gives senior citizens back their cost break on Medicare supplement insurance — a savings in some cases of as much as \$100 a year.
- House Bill **2367** puts the Washington Apple Commission back in the business of marketing Washington apples.
- House Bill **2366** promotes the value of agriculture and family farms in Washington.

(All three bills became law)

...and some disappointments

- No regulatory relief to create jobs, make our state more competitive for new employers and stimulate the economy.
- The extra spending in the new supplemental budget increases the expected budget deficit facing the next Legislature to an even \$1 billion — which means either cuts in services or new taxes to balance the 2005-07 budget.
- No stronger penalties to deter auto theft, and methamphetamine manufacturing still isn't a "strike" under the state's "Three Strikes, You're Out" law.

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